1 BRYAN A. MERRYMAN (SBN 134357)
   bmerryman@whitecase.com
2 J. JONATHAN HAWK (SBN 254350)
   jhawk@whitecase.com
3 WHITE & CASE LLP
   633 W. Fifth Street, Suite 1900
4 Los Angeles, CA 90071-2007
   Telephone: (213) 620-7700
5 Facsimile: (213) 452-2329

6 BIJAL V. VAKIL (SBN 192878)
   bvakil@whitecase.com
7 WHITE & CASE LLP
   5 Palo Alto Square, 9th Floor
8 3000 El Camino Real
   Palo Alto, CA 94306
9 Telephone: (650) 213-0300
   Facsimile: (650) 213-8158

10

11 Attorneys for Defendant
   GROUPME, INC.

12   UNITED STATES DISTRICT COURT

13   NORTHERN DISTRICT OF CALIFORNIA

14   OAKLAND DIVISION

15 BRIAN GLAUSER, individually and on behalf   Case No. 4:11-cv-02584-PJH
   of a class of similarly situated individuals,
16
                                                DEFENDANT GROUPME, INC.'S
17   Plaintiffs,   ADMINISTRATIVE MOTION TO FILE
                                                DOCUMENT UNDER SEAL
                      v.
18
   TWILIO, INC., a Delaware corporation; and
19 GROUPME, INC., a Delaware corporation,

20
                          Defendants.
21

22

23

24

25

26

27

28

LOSANGELES 1138419 (2K)

1   Pursuant to Civil L.R. 79-5 and 7-11, defendant GroupMe, Inc. ("GroupMe") hereby brings

2   this administrative motion for an order sealing certain evidence filed with GroupMe's Reply Brief

3   in Support of its Motion for Summary Judgment. Specifically, GroupMe seeks an order sealing

4   paragraphs 3 and 4 of the Supplemental Declaration of John Pignata ("Supplemental Pignata

5   Declaration"). GroupMe has established good cause to permit filing this information under seal

6   through the Declaration of J. Jonathan Hawk ("Hawk Decl."), filed contemporaneously herewith.

7   Specifically, paragraphs 3 and 4 of the Supplemental Pignata Declaration set forth and

8   discuss excerpts of source code GroupMe designated "HIGHLY CONFIDENTIAL – SOURCE

9   CODE," pursuant to the protective order the Court entered on June 23, 2014 (Dkt. No. 111 at §

10   2.8). GroupMe developed this source code for its proprietary social group texting service to

11   perform certain functions, and it is not public. Hawk Decl., ¶ 3. GroupMe treats the source

12   code discussed and shown in paragraphs 3 and 4 of the Supplemental Pignata Declaration as

13   highly confidential and valuable trade secret information, and public disclosure of this

14   information would cause GroupMe competitive harm. *Id.*; *see Agency Solutions.com, LLC v.*

15   *TriZetto Group, Inc.*, 819 F. Supp. 2d 1001, 1017 (E.D. Cal. 2011) (noting "source code is

16   undoubtedly a trade secret"); *see also Brocade Commcn's Syst., Inc. v. A10 Networks, Inc.*, No.

17   10-cv-03428-PSG, Dkt. No. 918 at 4 (N.D. Cal. Mar. 26, 2013) (noting "source code" and

18   "trade secret descriptions" "may be sealed").

19   This request is narrowly tailored to apply only to those portions of the Supplemental

20   Pignata Declaration that address and set forth excerpts from GroupMe's source code.

21   Accordingly, GroupMe respectfully requests the Court order paragraphs 3 and 4 of the

22   Supplemental Pignata Declaration be filed under seal.

23   Dated: October 20, 2014   WHITE & CASE LLP

24

25   By: ___/s/ *Bryan A. Merryman*___
                                              Bryan A. Merryman

26   Attorneys for Defendant
                                              GROUPME, INC.
27

28

                                            1